

REMARKS

Applicant submits that the present amendment is fully responsive to the Office Action dated November 20, 2008 and, thus, the application is in condition for allowance.

By this reply, claims 3, 12, and 18 are cancelled; and claims 1, 9, and 16 are amended. Claims 1-2, 4-11, 13-17, and 19-23 remain pending. Of these, claims 1, 9 and 16 are independent. An expedited review and allowance of the application is respectfully requested.

In the outstanding Office Action, claims 1 and 9 were rejected under 35 U.S.C. § 102(e) as being anticipated by Fuh (USPN 6,609,154). It is asserted that Fuh discloses a method and apparatus with all of the limitations of the pending claims. Applicant respectfully traverses.

Neither Fuh, nor any other related art of record, alone or in combination, disclose or fairly suggest the present invention as recited in the pending claims. For example, Fuh fails to teach comparing information, including a header type, a header order, and a header content, of a request by client logic with a known pattern of information for the client logic to determine whether a device making the request is authorized to receive at least one of content and software, the comparing accomplished by the HTTP proxy. This element is present in both independent claims and is described, for instance, on page 10 of the specification. Fuh discloses IP addresses as authentication information. Fuh states that “the process determines whether a source IP address of the request is found in the standard access control list.” (Fuh, Column 10, Lines 40-42). However, such IP addresses are set and may easily be copied and shared between users. In contrast, the present invention as recited in the pending claims allows a higher level of authentication and control by having a header type, header order, and header content together as an identifier to distinguish one user from another. Such pattern may be random and only known to the server. Thus, it cannot be easily guessed or copied. Thus, because Fuh does not disclose

this element, Fuh cannot possibly anticipate or obviate the pending claims. For at least this reason, the rejections should be withdrawn.

In the outstanding Office Action, claims 1, 2, 5, 7-17, 20, 22 and 23 were rejected under 35 U.S.C. § 102(c) as being anticipated by Zhigang (US Pub. No. US2005/0014489). It is asserted that Zhigang discloses a method and apparatus with all of the features of the pending claims and therefore anticipates the same. Applicant respectfully traverses.

Neither Zhigang, nor any other related art of record, alone or in combination, disclose or fairly suggest the present invention as recited in the pending claims. For example, Zhigang fails to teach comparing information, including a header type, a header order, and a header content, of a request by client logic with a known pattern of information for the client logic to determine whether a device making the request is authorized to receive at least one of content and software, the comparing accomplished by the HTTP proxy. This element is present in each of the independent claims and is disclosed, for instance, on page 10 of the specification. Zhigang discloses a system for providing content contained within a mobile terminal where the mobile terminal operates as a HTTP server (Zhigang, Paragraph [0028]). However, Zhigang discloses a completely different authentication process than the present invention. For instance, Zhigang states that "authentication means that the server terminal also has to verify that it knows the username and password for browser." (Zhigang, Paragraph [0065]). The present invention does not necessitate any username and password. Authentication is accomplished by the comparison of the header type, header order, and header content with a known pattern of these. As stated above, such a pattern may be random and only known to the server. Thus, it cannot be easily guessed or copied. Because Zhigang does not contain at least this element, Zhigang cannot

possibly anticipate or obviate the claims of the present invention. For at least this reason, the rejection should be withdrawn.

Because Zhigang does not teach all of the elements in the independent claims, the dependent claims, which depend therefrom, also are patentably distinct from any prior art of record. For this reason, Applicant respectfully requests withdrawal of the rejection.

In the outstanding Office Action, claims 3, 4, 6, 18, 19 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhigang in view of Fuh. It is asserted that Zhigang teaches substantially the same invention as recited in the pending claims but for an HTTP proxy comparing information for the request by the client logic with the known pattern of information for the client logic. It is then asserted that Fuh does teach this deficiency and thus the combination would render the present invention as obvious. Applicant respectfully traverses.

Neither Zhigang nor Fuh, nor any other art of record, anticipate or obviate the present invention as recited in the pending claims. Each reference lacks the fundamental teaching of the present invention, as recited in the pending claims. For instance, as stated above, neither reference discloses comparing information, including a header type, a header order, and a header content, of a request by client logic with a known pattern of information for the client logic to determine whether a device making the request is authorized to receive at least one of content and software, the comparing accomplished by the HTTP proxy. Thus, their combination, even if any motivation existed outside of Applicant's own disclosure, still lacks the teaching to obviate the present invention as recited in the pending claims. So for the reasons set forth in the discussion above, the rejections should be withdrawn and the application allowed to issue.

No extension of time is believed necessary to enter this amendment. If any other fees are associated with the entering and consideration of this amendment, please charge such fees to our Deposit Account 50-2882.

Applicant respectfully requests an interview with the Examiner to present more evidence of the unique attributes of the present invention in person. As all of the outstanding rejections have been traversed and all of the claims are believed to be in condition for allowance, Applicant respectfully requests issuance of a Notice of Allowance. If the undersigned attorney can assist in any matters regarding examination of this application, Examiner is encouraged to call at the number listed below.

Respectfully submitted,

Date: February 19, 2009

/Fariborz Moazzam, Reg. No. 53,339/

Fariborz Moazzam

Reg. No. 53,339

Cust. No. 39,013

MOAZZAM & ASSOCIATES, LLC

7601 Lewinsville Road, Suite 304

McLean, Virginia 22102

(703) 442-9480

(703) 991-5978 (fax)